

SENATE BILL 701

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CF HB 462

By: **Senators Zucker, Bates, Benson, Cassilly, Conway, DeGrange, Eckardt, Ferguson, Guzzone, Jennings, Kagan, Kelley, King, Madaleno, Manno, McFadden, Middleton, Muse, Nathan–Pulliam, Peters, Pinsky, Robinson, Salling, Simonaire, Smith, Waugh, and Young**

Introduced and read first time: February 3, 2017

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Higher Education – Tuition Waivers for Foster Care Recipients and**
3 **Unaccompanied Homeless Youth – Alterations**

4 FOR the purpose of altering the definition of “foster care recipient” for certain tuition
5 waivers to include an individual who resided in an out–of–home placement at the
6 time the individual graduated from high school or successfully completed a GED;
7 clarifying that the definition of “tuition” includes fees for credit–bearing and
8 noncredit courses; and generally relating to tuition waivers for foster care recipients
9 and unaccompanied homeless youth.

10 BY repealing and reenacting, with amendments,
11 Article – Education
12 Section 15–106.1(a)
13 Annotated Code of Maryland
14 (2014 Replacement Volume and 2016 Supplement)

15 BY repealing and reenacting, without amendments,
16 Article – Education
17 Section 15–106.1(c)
18 Annotated Code of Maryland
19 (2014 Replacement Volume and 2016 Supplement)

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
21 That the Laws of Maryland read as follows:

22 **Article – Education**

23 15–106.1.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 (a) (1) In this section the following words have the meanings indicated.
- 2 (2) (i) “Foster care recipient” means an individual who:
- 3 1. Was placed in an out-of-home placement by the Maryland
4 Department of Human Resources; and
- 5 2. A. Resided in an out-of-home placement on the
6 individual’s 18th birthday **OR AT THE TIME THE INDIVIDUAL GRADUATED FROM HIGH**
7 **SCHOOL OR SUCCESSFULLY COMPLETED A GED;**
- 8 B. Resided in an out-of-home placement on the individual’s
9 13th birthday and was placed into guardianship or adopted out of an out-of-home
10 placement after the individual’s 13th birthday; or
- 11 C. Resided in an out-of-home placement in the State for at
12 least 1 year on or after the individual’s 13th birthday and returned to live with the
13 individual’s parents after the out-of-home placement ended.
- 14 (ii) “Foster care recipient” includes a younger sibling of an individual
15 described in subparagraph (i) of this paragraph if the younger sibling is concurrently placed
16 into guardianship or adopted out of an out-of-home placement by the same guardianship
17 or adoptive family.
- 18 (3) “Out-of-home placement” has the meaning stated in § 5-501 of the
19 Family Law Article.
- 20 (4) (i) “Tuition” means the charges imposed by a public institution of
21 higher education for enrollment at the institution.
- 22 (ii) “Tuition” includes charges for registration and all fees **FOR**
23 **CREDIT-BEARING AND NONCREDIT COURSES** required as a condition of enrollment.
- 24 (5) “Unaccompanied homeless youth” means a child or youth who:
- 25 (i) Has had a consistent presence in the State for at least 1 year
26 before enrollment in a public institution of higher education that is documented by school,
27 employment, or other records;
- 28 (ii) Is not in the physical custody of a parent or guardian;
- 29 (iii) Is a homeless child or youth, as defined by the McKinney-Vento
30 Homeless Assistance Act; and
- 31 (iv) Was determined to be a homeless child or youth by:

1 1. A Maryland local school system homeless liaison, as
2 defined by the McKinney–Vento Homeless Assistance Act;

3 2. A Director or a designee of the Director of a
4 Maryland–based program funded under the Runaway and Homeless Youth Act;

5 3. A Director or a designee of the Director of a
6 Maryland–based program funded under Title IV, Subtitle B of the McKinney–Vento
7 Homeless Assistance Act; or

8 4. The financial aid director at the public institution of
9 higher education in which the youth seeks to enroll.

10 (6) “Vocational certificate” means a certificate or license awarded by a
11 public institution of higher education on completion of a course of study that prepares an
12 individual to work in a career field by taking credit–bearing courses or noncredit courses.

13 (c) (1) A foster care recipient or an unaccompanied homeless youth is exempt
14 from paying any tuition at a public institution of higher education, regardless of that foster
15 care recipient’s or unaccompanied homeless youth’s receipt of any scholarship or grant if:

16 (i) The foster care recipient or unaccompanied homeless youth is
17 enrolled at the institution on or before the date that the foster care recipient or
18 unaccompanied homeless youth reaches the age of 25 years;

19 (ii) The foster care recipient or unaccompanied homeless youth is
20 enrolled as a candidate for a vocational certificate, an associate’s degree, or a bachelor’s
21 degree; and

22 (iii) The foster care recipient or unaccompanied homeless youth has
23 filed for federal and State financial aid.

24 (2) If a foster care recipient or an unaccompanied homeless youth receives
25 a scholarship or grant for postsecondary study and is enrolled before the recipient’s 25th
26 birthday as a candidate for a vocational certificate, an associate’s degree, or bachelor’s
27 degree at a public institution of higher education, the scholarship or grant may not be
28 applied to the tuition for the foster care recipient or unaccompanied homeless youth.

29 (3) A foster care recipient or an unaccompanied homeless youth who is
30 exempt from tuition under this section continues to be exempt until the earlier of:

31 (i) 5 years after first enrolling as a candidate for an associate’s
32 degree or a bachelor’s degree at a public institution of higher education in the State; or

33 (ii) The date that the foster care recipient or unaccompanied
34 homeless youth is awarded a bachelor’s degree.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
2 1, 2017.